

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA

v.

Criminal No. 22-473 (GMM)

JOSE L. BERRIOS-AQUINO,

Defendant.

JOINT MOTION TO DISMISS

The United States of America respectfully informs that the parties have agreed that dismissal of the case is appropriate and move the Court for an Order, pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, dismissing the indictment with prejudice.

The parties further agree that the defendant is not a “prevailing party” within the meaning of the Hyde Amendment (Pub. L. 105-119, Section 617, 111 Stat. 2440, 2519 (1997) (codified at 18 U.S.C. § 3006A note)) and that the United States prosecution against the defendant in the instant case was not vexatious, frivolous, or in bad faith.

WHEREFORE, the United States respectfully requests that the Court dismiss the indictment with prejudice.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 22nd day of May 2025.

W. Stephen Muldrow
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the date above, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

s/Linet Suárez

Linnet Suárez
Assistant United States Attorney